

United States Department of Justice
Office of the United States Trustee
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for the United States Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

**NATIONAL RIFLE ASSOCIATION OF
AMERICA and SEA GIRT LLC**

Debtors.

Chapter 11

Case No. 21-30085-hdh11

Jointly Administered

Hearing Date: 3/04/2021

Hearing Time: 1:30 p.m.

**U.S. TRUSTEE'S AMENDED¹ WITNESS AND EXHIBIT LIST FOR HEARING ON
DEBTORS' APPLICATION TO EMPLOY BREWER, ATTORNEYS & COUNSELORS AS
SPECIAL COUNSEL FOR THE DEBTORS AND DEBTORS IN POSSESSION**

TO THE HONORABLE HARLIN D. HALE,
UNITED STATES BANKRUPTCY JUDGE:

The United States Trustee for Region 6 designates the following witnesses and exhibits for the hearing on Debtors' Application for Entry of Order Pursuant to sections 105 (a), 327(e), 329, and 1107(b) of the Bankruptcy Code Authorizing and Approving the Employment and Retention Effective as of the Petition Date of Brewer, Attorneys & Counselors as Special Counsel for the Debtors and Debtors in Possession, **and incorporates by reference the Witness and Exhibit List the United**

¹ All amendments are shown in boldface.

States Trustee for Region 6 filed on February 18, 2021, at Docket No. 180:

Witnesses

1. William A. Brewer III of Brewer, Attorneys & Counselors;
2. Michael J. Collins of Brewer, Attorneys & Counselors;
3. Carolyn Meadows of the National Rifle Association;
4. John C. Frazer of the National Rifle Association;
5. Wayne LaPierre of the National Rifle Association; and
6. Any witness designated on another party's witness list, **or called by any other party.**

Designated Deposition and 341(a) Testimony of Debtors' Representatives²

1. **Deposition testimony of John C. Frazer, Secretary and General Counsel to the National Rifle Association of America, taken in *In the Matter of: National Rifle Association of America v. Ackerman McQueen, Inc., et al.*, Case No. 3:19-cv-2074 (N.D. Tex.) (“NRA v. Ackerman”), taken on January 16, 2020, Tr. at 182:19–183:1; Tr. at 270:10-17; Tr. at 271:1-10; and Tr. at 386:22–387:15, and certificate of the court reporter.**
2. **Deposition testimony of Carolyn Meadows, President of the National Rifle Association of America, taken in *NRA v. Ackerman*, taken on January 29, 2020, Tr. at 109:20–110:3; Tr. at 114:15–118:21; Tr. at 120:3–21; Tr. at 143:18–19; Tr. at 144:20–146:2; Tr. at 146:12–16; Tr. at 148:19–149:7; Tr. at 150:11–151:16; Tr. at 229:10–230:6; Tr. at 231:7–9; Tr. at 231:17–232:2, and certificate of the court reporter.**
3. **Selections from the testimony given by representatives of the Debtors at the Meeting of Creditors under section 341(a) of the Bankruptcy Code on February 22, 2021.**

² The designated deposition testimony of Mr. Frazer and Ms. Meadows will be filed after counsel to the Debtors confirm to counsel to the U.S. Trustee that they do not take the position that such testimony cannot be publicly filed.

Exhibits

| Exhibit Identification | Exhibit | Offer | Admit |
|--|----------|-------|-------|
| Summons and Complaint in <i>People of the State of New York v. The National Rifle Ass'n of Am., et al.</i> , Index No. 451625/2020 (Sup. Ct. N.Y. Cnty.), NYSCEF Docket No. 1, filed Aug. 6, 2020 | A | | |
| Letter from Wayne LaPierre to NRA members and supporters dated Jan. 15, 2021 | B | | |
| Press Release of Jan.15, 2021 | C | | |
| <i>Questions & Answers</i> , www.nraforward.org | D | | |
| Memorandum Opinion and Order, D.I. 166 in <i>National Rifle Ass'n of Am. v. Ackerman McQueen, Inc.</i> , et al., Case No. 3:19-cv-2074 (N.D. Tex., Sept. 14, 2020) | E | | |
| <i>The National Rifle Ass'n of Am. v. North</i> , 903843-20, 2020 N.Y. Slip Op. 51109(U), 130 N.Y.S. 3d 925 (Table), 2020 N.Y. Misc. LEXIS 6979, at * 8-9 (Sup. Ct. Albany Cnty, Oct. 2, 2020) | F | | |
| NRA IRS Form 990 for 2018 ³ | G | | |
| NRA IRS Form 990 for 2019 | H | | |
| Statement of Financial Affairs of Debtor National Rifle Association of America filed in these cases on Feb. 15, 2021, at D.I. 162 | I | | |
| Defendant's Answer to Amended Complaint in <i>National Rifle Ass'n v. Oliver North</i> , 903843-20 (Sup. Ct. Albany Cnty, Aug. 31, 2020), NYSCEF Docket No. 41 | J | | |
| Hearing Transcript of September 13, 2018, in <i>National Rifle Association of America, v. Lockton Affinity LLC, et al.</i>, Case No. 1:18-cv-639, United States District Court of the Eastern District of Virginia. | K | | |

³ The NRA's IRS Form 990 for 2018 and 2019 are publicly available.

| Exhibit Identification | Exhibit | Offer | Admit |
|--|----------|-------|-------|
| Memo dated February 26, 2019 signed by Oliver North, Richard Childress, and Carolyn Meadows, to Wayne LaPierre, marked as Exhibit 18 in the Deposition of Carolyn Meadows in <i>NRA v. Ackerman</i>.⁴ | L | | |
| Memo dated March 22, 2019 signed by Oliver North, Richard Childress, and Carolyn Meadows, to William Brewer, marked as Exhibit 15 in the deposition of Oliver North in <i>NRA v. Ackerman</i>, taken on December 18, 2019. | M | | |
| Email dated March 22, 2019, from Oliver North to John Frazer, attaching Exhibit M above as well as a memo dated March 22, 2019 signed by Oliver North, Richard Childress, and Carolyn Meadows, to the NRA Audit Committee, marked as Exhibit 2 in in the Deposition of Carolyn Meadows in <i>NRA v. Ackerman</i>. | N | | |
| Memo dated March 31, 2019 from Oliver North to Wayne LaPierre, marked as Exhibit 6 in the Deposition of Wayne LaPierre in <i>NRA v. Ackerman</i>, taken on September 24, 2019. | O | | |
| Memo dated April 18, 2019 signed by Oliver North and Richard Childress to John Frazer and Charles Cotton, marked as Exhibit 29 in the Deposition of Oliver North in <i>NRA v. Ackerman</i>. | P | | |
| Email dated April 25, 2019 from Oliver North to John Frazer, copy to Richard Childress and Carolyn Meadows attaching memo from Oliver North to the Executive Committee of the NRA of the same date, marked as Exhibit 40 in the deposition of Oliver North in <i>NRA v. Ackerman</i>. | Q | | |
| Memo dated July 15, 2019 from Emily Cummins, marked as Exhibit 9 in the deposition of Craig Spray in <i>NRA v. Ackerman</i>, taken on October 3, 2019 | R | | |

⁴ Exhibits L through R will be filed after counsel to the Debtors confirm to counsel to the U.S. Trustee that they do not take the position that such documents cannot be publicly filed.

Exhibits may be re-lettered if parties agree on summary table. The United States Trustee reserves the right to supplement this list of witnesses and exhibits based on any additional information obtained through discovery or other sources. The United States Trustee reserves the right to use any exhibit designated on another party's list. An exhibit binder will be provided at trial. The U.S. Trustee reserves the right to call additional witnesses or introduce additional exhibits in rebuttal.

DATED: **March 1, 2021**

Respectfully submitted,

WILLIAM T. NEARY
UNITED STATES TRUSTEE

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Certificate of Service

I certify that on March 1, 2021, I served a true copy of this document either by electronic case filing and/or by email on the following parties and on those requesting ECF notice.

By: /s/ Lisa L. Lambert
Lisa L. Lambert,
Assistant United States Trustee

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